SOUTHERN DISTRICT OF NEW YORK	
	X
OFFICE SPACE SOLUTIONS, INC.	: : Case No. 1:15-CV-04941 (LAK)
Plaintiff,	:
·	: DECLARATION OF
	: KAREN J. BERNSTEIN
	: IN SUPPORT OF DEFENDANT'S
	: OPPOSITION TO
	: PLAINTIFF'S PRELIMINARY
	: INJUNCTION
	:
	: $ECF\ CASE$
-against -	:
JASON KNEEN,	
Defendant.	

I, Karen J. Bernstein, declare as follows:

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- 1. I am an attorney duly licensed in the State of New York and am counsel to Defendant Jason Kneen.
- I submit this declaration in support of Defendant's Opposition to Plaintiff's
  Motion for a Preliminary Injunction.
- 3. Attached hereto as Exhibit A is a true and correct copy of the Whois record for Workbetter.com.
- 4. Attached hereto as Exhibit B is a true and correct copy of Application Serial No. 86/263,325 in connection with the mark, WORK BETTER.
- 5. Attached hereto as Exhibit C is a true and correct copy of the Statement of Use in connection with the trademark application for WORK BETTER.
- 6. Attached hereto as Exhibit D is a true and correct copy of the Whois record for Workbetter.us.

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- 7. Attached hereto as Exhibit E is a true and correct copy of a screenshot of Workbetter.us.
- 8. Attached hereto as Exhibit F is a true and correct copy of *Phoenix-Dolezal v. Lili Ni*, Case No. 11-CV-3722, 2012 WL 121105 (SDNY Jan. 17, 2012) (unreported).
- 9. Attached hereto as Exhibit G is a true and correct copy of *Melodrama Publishing*, *LLC v. Santiago*, No. 12 Civ. 7830, 2013 WL 1700929 (SDNY April 10, 2013) (unreported).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed: July 2, 2015	s/Karen J. Bernstein
	Karen J. Bernstein

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she is the attorney for Defendant in the above-captioned action and that on the date which appears below, served copies of the foregoing DECLARATION OF KAREN J. BERNSTEIN IN SUPPORT OF DEFENDANT'S OPPOSITION TO PLAINTIFF OFFICE SPACE SOLUTIONS, INC.'S MOTION FOR PRELIMINARY INJUNCTION by causing copies thereof to be served via e-mail and via Federal Express to the following:

John P. Bostany, Esq. Roman Popov, Esq. Bostany Law Firm, PLLC 40 Wall Street, 28<sup>th</sup> Floor New York, NY 10005 E-Mail: mail@bozlaw.com

Dated: July 2, 2015 /s/ Karen J. Bernstein\_

Karen J. Bernstein